

**TOWN OF ABINGDON
PLANNING COMMISSION
MONDAY, OCTOBER 23, 2023, 5:30 PM
COUNCIL CHAMBERS, MUNICIPAL BUILDING**

A meeting of the Abingdon Planning Commission was held on Monday, October 23, 2023,
at 5:30 PM in the Council Chambers of the Municipal Building.

- A. Kenny Shuman – Chairman called the meeting to Order**
- B. Roll Call – Mayana Rice, Assistant Town Manager**

Members Present:

Mr. Kirk Sproles	Present
Mr. Michael Weaver	Present
Mr. Jeff Johnson	Present
Mr. Kenny Shuman	Present
Mr. Chad Pennington	Present

Members Absent:

Mr. Scott Wilson	Absent
Mr. Wayne Austin	Absent

Comprising a quorum of the Commission – Yes

Administrative Staff Present:

Mrs. Mayana Rice – Assistant Town Manager
Mr. Gabe Cristofari – Senior Planner/GIS
Mr. Caleb Conklin – Planner I

Guests: None

- C. APPROVAL OF MINUTES: REGULAR MEETING, SEPTEMBER 26, 2023.
(VIDEO 7:23 – 7:55)**

- September 26, 2023, Regular Meeting

On a motion by Mr. Johnson, seconded by Mr. Pennington, the Planning Commission approved the Regular Meeting Minutes for September 26, 2023.

The roll call vote was as follows:

Mr. Kirk Sproles	Aye
Mr. Michael Weaver	Aye
Mr. Jeff Johnson	Aye
Mr. Kenny Shuman	Aye
Mr. Chad Pennington	Aye

D. PUBLIC COMMENTS: None

E. CERTIFICATE OF APPROPRIATNESS

1. *Special Use Permit – Matthew Bundy, 227 Stone Mill Road, Abingdon, VA 24210. Applicant. Special Use Permit for Accessory Dwelling Unit. Located at 227 Stone Mill Road, Abingdon, VA 24210. (Tax Map 018-7-3) (VIDEO 8:15 – 15:29)*

Mrs. Rice provided the staff report.

Walter and Mary Herman (Owner/Applicant) and Matthew Bundy (Representative) has requested approval of a Special Use Permit to exceed the maximum area limit for an Accessory Dwelling Unit. The property is located at 227 Stone Mill Road, Abingdon, VA (Parcel 018-7-3). The property is within the Residential District (R-3) and is requiring a Special Use Permit therefore requiring the approval of the Planning Commission prior to completion.

Generally, the Subject Property is located at 227 Stone Mill Road. The main structure on the property is currently utilized as a single-family dwelling. The secondary structure in the back of the property under review has been used as a shed for storage and lawn care supplies. Access to the site will continue to be Stone Mill Road. Adjoining properties on all sides of the property are zoned in the Residential District (R-3).

As stated in Section 7-2-2. accessory dwelling units in the Town of Abingdon Zoning Ordinance, the floor area of an accessory dwelling unit shall be no more than 800 sq. ft. in finished floor area. Additional square footage may be approved through a Special Use Permit.

The applicant is proposing to exceed the maximum requirement for an accessory dwelling unit of 800 sq. ft. The proposed structure will be 185 sq. ft. more than the maximum requirement with the total area of the unit being 985 sq. ft. The reason for the additional space is to provide ADA accessibility to the future retirement location.

Nestor Robles (Representative) stated that the existing shed is 360 square feet and that it was designed as one bed, one bath, that will be handicap accessible with the added addition to be a small living room and dining room with an outdoor patio space. This space will be occupied all year round. The existing log shed will be updated to make it structurally sound.

The proposed home is only partially visible in the public right-of-way and will be accessed through the existing driveway. The main purpose is for the proposed building to be handicapped accessible that the main house does not provide.

Mr. Shuman opened the public hearing.

Mary Herman (Owner). Stated that the primary house does not provide accessibility to their future needs and that the proposed structure will provide them the handicap accessibility.

Mr. Shuman closed the public hearing.

Mr. Weaver (PC) mentioned that the proposed building is in his neighborhood and that he believes that the people he does know in the neighborhood would not object to the proposed structure. Mr. Pennington (PC) asked for clarification that the proposed structure is not encroaching on other properties and that there are no foreseeable issues. Mr. Robles answered that there are no issues.

On a motion by Mr. Weaver, seconded by Mr. Pennington, the board voted to recommend approval of the SUP as submitted to the Town Council.

The roll call vote was as follows:

Mr. Kirk Sproles	Aye
Mr. Michael Weaver	Aye
Mr. Jeff Johnson	Aye
Mr. Kenny Shuman	Aye
Mr. Chad Pennington	Aye

- 2. *Certificate of Appropriateness – Larry R. Jones, 266 West Main Street, Abingdon, VA 24210. Certificate of Appropriateness for Exterior Changes. Located at 266 West Main Street, Abingdon, VA 24210. (Tax Map 011-8-4) (VIDEO 15:30 – 21:18)***

Mr. Cristofari provided the staff report.

Larry Jones (Applicant/Owner) has requested approval of an Entrance Corridor Certificate of Appropriateness for changing the existing exterior paint scheme and replacing the finished existing crimped standing seam awning roof. Located at 266 W. Main Street, Abingdon (Parcel 011-8-4). The property is within the Central Business District (B-3) and is within the Entrance Corridor therefore requiring the approval of the Planning Commission prior to completion.

Generally, the Subject Property is located at 266 W. Main Street. The property was purchased in 1937 by E.W. Rambo where a 1-story brick structure was built. The Louis Sterchi Furniture Co. moved into the structure in 1937. Hugh L. Sweet and Charles E. Sweet, father and son, owned and operated the business up until 1990. Currently the structure operates as The Glass Peacock and assorted other retail businesses.

Access. Access to the site will continue to be W. Main Street. Adjoining properties on all sides are zoned B-3 (Central Business District).

The applicant proposes to alter the existing paint scheme of the primary elevation (North elevation) of the finished masonry structure currently painted black. The primary paint color will be “Blue Peacock” with an accent paint color of “Really Teal”. The trim and awning roof color will be painted “Copper Penny”. The existing crimped tin standing seam roof is finished. The applicant proposes to replace the existing crimped tin standing seam awning roof with a new standing seam metal roof. The color will be Copper Penny, the same color as the trim.

Larry Jones (Owner/Applicant) stated that he recently purchased the building. He decided to renovate the two additional awnings at the rear of the building. Both will match the proposed front awning’s material sheathing.

On a motion by Mr. Johnson, seconded by Mr. Pennington, the board voted to approve the COA as presented with the roof being standing seam with no striations.

The roll call vote was as follows:

Mr. Kirk Sproles	Aye
Mr. Michael Weaver	Aye
Mr. Jeff Johnson	Aye
Mr. Kenny Shuman	Aye
Mr. Chad Pennington	Aye

- 3. Special Use Permit – Virginia Highlands Community College, 100 VHCC Drive, Abingdon, VA 24210. Special Use Permit for Signage. Located near the intersection of Jonesboro Road and VHCC Drive, specifically in the Town of Abingdon right-of-way at the entrance to Virginia Highlands Community College on VHCC Drive Abingdon, VA. (VIDEO 21:19 – 35:56)***

Mrs. Rice provided the staff report.

Commonwealth of Virginia/Virginia Community College System (Owner) and Virginia Highlands Community College/Southwest Virginia Higher Education Center (Applicant) has requested approval of a Special Use Permit for a Comprehensive Sign Plan. The Comprehensive Sign Plan also considers the Virginia Highlands Small Business Incubator, the Washington County Government Center, and the Southwest Higher Education Center on the sign.

A Comprehensive Sign Plan Is allowed if approved by the Abingdon Town Council per section 8-4-2 of Article VIII Community Design Standards. The existing signage to undergo renovation is located near the intersection of Jonesboro Road and VHCC Drive, on VHCC Drive in the Town of Abingdon’s right-of-way.

The proposed signage renovation is located near the intersection of Jonesboro Road and VHCC Drive. The existing signage is in the Town of Abingdon's right-of-way. This is an existing unfinished masonry freestanding sign structure and associated signage at the entrance to Virginia Highlands Community College on VHCC Drive. However, the additional signage tenants are also in a PTD (Planned Technology District) therefore allowing the project to apply for the Comprehensive Sign Plan.

The Planning Commission is responsible for recommending a motion to the Town Council. The Town Council is the final motion regarding Special Use Permits.

A comprehensive sign plan can be used in situations when the applicants are looking for flexibility from the strict interpretation of the sign regulations. The only standard that is not allowed to be flexible is the height. In this situation the existing sign is not proposed to be taller than existing. The flexibility is for the total size, setback, and changeable square footage.

The applicant proposes to renovate the existing freestanding sign with larger signage. However, the actual structure will not be changing locations or height. The Comprehensive Sign Plan is asking for flexibility to increase the sign square footage located within the required setback of the sign ordinance.

The new sign will include 4G cellular connectivity, custom steel mounting frame, and grounding kit. The double faced RGB display will have a RGB 281 trillion levels with brightness being 8,000 NIT's +/- 5% and total LEDs 712,800. It will have a single phase of 120V or 240V 50/60Hz with diming levels: 100 – auto and manual. The sign will also include character sizes being 2.2 inches and a horizontal viewing angle of 160 degrees.

The existing electronic messaging display will be removed and replaced with a new double-sided 7 ft. x 12 ft. electronic display (84 square feet). The Comprehensive Sign Plan is asking for flexibility to change "static signage" to additional Changeable Signage.

The existing cabinet signs will be removed and replaced with four single sided 3 ft. x 14 ft. aluminum extrusion cabinets (168 square feet) and two single sided 8 ft. x 10 ft. aluminum extrusion cabinets (160 square feet). These six signs will have PAN faces and vinyl graphics. The Comprehensive Sign Plan asks for flexibility from 60 total square feet to a total of 412 square feet.

The existing unfinished masonry freestanding sign structure is proposed to have a synthetic stucco applied and painted with the following colors: Downing Sand and Downing Earth.

Adam Hutchison (Applicant) stated that when the sign was built 23 years ago it went through an architectural review process that took extensive research through the archives in Richmond. The purpose for the new sign is due to the sign being technologically outdated and the design of the sign with the current brick and concrete does not look visually appealing and difficult to maintain.

Mr. Shuman opened the public hearing.

There were no public comments.

Mr. Shuman closed the public hearing.

Mr. Shuman (PC) stated that with the new design of the sign increases safety due to the easy readability of the increased word font. Mrs. Rice (Staff) mentioned that existing requirements, such as the message board shall not change more than every twelve seconds, are items that the applicant will have to adhere to outside of the motion given.

Mr. Weaver (PC) asked if the Southwest Virginia Cultural Center & Marketplace sign placed near the proposed sign can be removed and established with the proposed sign. Mr. Hutchison stated they would be happy to entertain the idea, however they are unable to make the call as the other sign is sitting in the VDOT right-of-way. Mrs. Rice mentioned that the town is working on a master sign plan and that how the sign was placed there was unusual and that they will be looking at that sign in the future.

Mr. Johnson (PC) asked if the size of the columns is changing. Mr. Hutchison stated that they will not. Mr. Johnson asked for clarification if the proposed signs will be outside of the exterior of the columns. Mr. Hutchison replied that is correct. Mr. Hutchison mentioned that the current signs are mounted in between the columns with steel brackets. The existing columns would not be able to hold the new signs. It would be easier to mount the signs on the columns instead of hanging in between the columns. Mr. Weaver asked if the signs that will be placed back-to-back will have a couple feet gap between them. Mr. Hutchison replied that they will have a gap with the thickness of the post and that there will be a lighting mechanism placed in the gap.

Mrs. Rice clarified that if the applicant just replaced the square footage of the sign, even if they rearranged the signage, the applicant wouldn't need approval from the board. It is the expansion of the signage that is the primary motion that the board is making. Mr. Johnson asked if there were any issues with the lighting lumens being a distraction. Mrs. Rice replied that from the information submitted the applicant meets the requirement. The board can discuss with the applicant a nighttime dimming or illumination guidelines to follow. Mr. Shuman believes there are no issues with the illumination in the sense that there are no houses near the sign to receive any complaints. Mr. Pennington (PC) asked if there was a time limit by which the message board can be switched. Mrs. Rice stated that yes there is a time limit. The code states that illumination will be no greater than 10,000 NITs from sunrise to sunset and 700 NITs from sunset to sunrise and needs to be equipped with an automated brightness control system in which the applicant submitted that in the plans. A message shall not be changed once every 12 seconds. The images must be static images that only advertise the businesses a part of the proposed signage. Mr. Hutchison mentioned

that the message board has been jointly controlled by the Southwest Virginia Higher Education Center and Virginia Highlands Community College.

On a motion by Mr. Pennington, seconded by Mr. Sproles, the board voted to recommend approval of the SUP as submitted to the Town Council.

The roll call vote was as follows:

Mr. Kirk Sproles	Aye
Mr. Michael Weaver	Aye
Mr. Jeff Johnson	Aye
Mr. Kenny Shuman	Aye
Mr. Chad Pennington	Aye

4. *Zoning Text Amendment – Window Signage (VIDEO 35:57 – 41:27)*

Mr. Shuman (PC) asked if the board approved the amendment when the buildings that are out of compliance must be in compliance and is there a structured time limit. Mrs. Rice replied that zoning is not retroactive, and that the town would not make anyone with window signage come into compliance. If a new business comes into the location that already has that type of signage, they would not be able to keep it. As businesses come and go that is when the town can enforce the amendment. Mr. Shuman asked what if the business doesn't change but the signage changes. Mrs. Rice replied that the business would need to remove the newer signs and the amendment would come into effect. Mr. Shuman asked if the businesses that are out of compliance would the town notify them. Mrs. Rice stated the town would and it would be similar to the process when the town made the amendment to recreational substances.

Mr. Shuman asked if there was a brief staff report. Mrs. Rice stated that businesses are allowed to have window signage on the interior for hours of operation. The issues stemmed from recreational substance shops and other businesses with bright lighted signage in their windows. All lighted window signage whether on the interior or exterior of the window, other than hours of operation, are prohibited. The square footage of the sign will be 10% of the square footage of the window.

Mr. Johnson asked if other historical cities such as Lexington or Williamsburg have similar language that the board can look upon. Mrs. Rice replied that yes, they have similar language and that window signage seen from the public right-of-way in the historic district is not allowed without the Historic Preservation Review Board approval.

Mr. Shuman opened the public hearing.

There were no public comments.

Mr. Shuman closed the public hearing.

On a motion by Mr. Johnson, seconded by Mr. Sproles, the board voted to recommend approval of the ZTA as submitted to the Town Council.

The roll call vote was as follows:

Mr. Kirk Sproles	Aye
Mr. Michael Weaver	Aye
Mr. Jeff Johnson	Aye
Mr. Kenny Shuman	Aye
Mr. Chad Pennington	Aye

F. OLD BUSINESS/MATTERS NOT ON THE AGENDA (VIDEO 41:28 – 50:55)

Mr. Shuman (PC) discussed the topic of the 301 E. Main Street building that came to the board asking for exterior renovations and the board granting a compromise which led to the applicant not approving of the compromise and selling the building. Furthermore, staff and the board spent time with the representative to come to a compromise in which the owner did not show up to the board meetings to further discuss the matter. Mr. Shuman mentioned that in terms of staff and board time will the representative have the authority to make decisions if the owner is not present and for the board to ask if the representative has the authority to make decisions. Mr. Johnson (PC) stated he doesn't disagree but mentioned that the applicant does have the right to come back to ask for modifications to the COA.

Mr. Shuman stated that the owner needs to understand that if they send a representative, the board will discuss with the representative such that the representative can make the final decision. Mr. Shuman stated he understands that the applicant can keep coming back to discuss but doesn't want the applicant to feel short changed when they are not taking the time to come to the meetings and may reflect badly on the board and staff. Mr. Johnson mentioned that the new owners of the building making renovations will be in compliance with the COA which will be to their advantage due to the building being recently moved into the Historic District. The owners will have one year to make changes or will have to get approval from the Historic Preservation Review Board. Mr. Shuman expressed concern about making an agreement with the representative such as this case, but in reality, not having an agreement in the end.

Mr. Weaver (PC) mentioned the instance of the Historic Preservation Review Board taking a year to come up with a compromise on the Summers Building. Mr. Shuman stated he understood these instances will happen, but to create more of an understanding between the applicant and board. Mrs. Rice (Staff) mentioned that staff does discuss with the applicant the entire process, but sometimes the owner doesn't want to be seen in a sense and have their representative take their place to discuss the matter.

G. ANNOUNCEMENTS

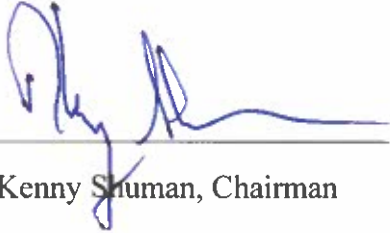
H. ADJOURNMENT

On a motion by Mr. Weaver, seconded by Mr. Pennington, recommending that the meeting be adjourned with no further business to address.

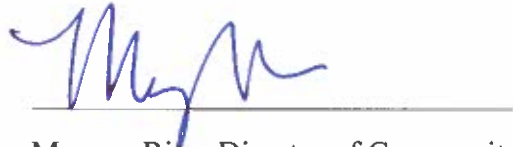
The roll call vote was as follows:

Mr. Kirk Sproles	Aye
Mr. Michael Weaver	Aye
Mr. Jeff Johnson	Aye
Mr. Kenny Shuman	Aye
Mr. Chad Pennington	Aye

Adjourn Time 6:17 p.m.



Kenny Shuman, Chairman



Mayana Rice, Director of Community
Development